

UNITED STATES DISTRICT COURT, *Southern* DISTRICT OF ILLINOIS

Plaintiff(s)

David H. Garrett #M-38621)

Case Number: 3:18-cv-00958-AJR-DCaw

v.

Defendant(s)

Kimberly Butler et. al.

Judge: Lancy J. RauschMagistrate Judge: Donald G. Wilkerson

MOTION FOR APPOINTMENT OF COUNSEL

[NOTE: Failure to complete all items in this form may result in the denial of the motion for appointment of counsel]

- I, David H. Garrett #M-38621, declare that I am the (check appropriate box):
 plaintiff defendant in the above-entitled proceeding and state that I am unable to afford the services of an attorney, and hereby request the Court to appoint counsel to represent me in this proceeding.
- In support of my motion, I declare that I have made the following attempts to retain counsel to represent me in this proceeding [NOTE: This item *must* be completed]: *Have wrote multiple law firms to try and have somebody represent me. See attached Exhibit's 1, 2, 3 only a few have responded.*
- In further support of my motion, I declare that (check appropriate box):
 I am not currently, nor previously have been, represented by an attorney appointed by the Court in this or any other civil or criminal proceeding before this Court.
 I am currently, or previously have been, represented by an attorney appointed by the Court in the proceeding(s) described on the back of this page.
- In further support of my motion, I declare that (check appropriate box):
 I have attached an original Application for Leave to Proceed *In Forma Pauperis* in the proceeding detailing my financial status.
 I have previously filed an Application for Leave to Proceed *In Forma Pauperis* in this proceeding, and it is a true and correct representation of my financial status.
 I have previously filed an Application for Leave to Proceed *In Forma Pauperis* in this proceeding. However, my financial status has changed and I have attached an Amended Application to Proceed *In Forma Pauperis* to reflect my current financial status.
- I declare under penalty that the foregoing is true and correct.

David H. Garrett

Movant's Signature

700 W. Lincoln St. P.O. Box 99

Street Address

11-1-18

Date

Ponitiff T1 61764

SCANNED at PCC and E-mailed, ZIP
 (date) by AD (initials)
 11/18 (# of pages)
 4

FISHMAN MILLER PC

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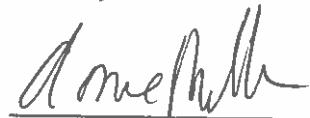
October 12, 2018

David H. Charrett, #M-38621
PO Box 99
Pontiac, IL 61764

Dear Mr. Charrett,

Thank you for contacting our firm. Unfortunately, we do not handle these types of matters. We also do not practice in McLean County.
We wish you all the best.

Sincerely,



Anne Miller, Esq.

May 16, 2018

Mr. David H. Gharrett #M38621
Pontiac Correctional Center
P.O. Box 99
Pontiac, IL 61764

In re: Your letter to me dated May 10, 2018

Dear Mr. Gharrett:

I received your letter to me dated May 10, 2018 requesting legal assistance for what you describe as a failure to protect case. I will not be able to help you with your case. As of May 18, 2018 I will no longer be employed by O'Connell, Tivin, Griffin & Burns, L.L.C. In my new job, I will not be able to take on any additional legal work. No one else associated with O'Connell, Tivin, Griffin & Burns is in a position to provide you with legal assistance at this time.

Your letter does not set forth the date or dates on which the events giving rise to the claim you wish to pursue took place. You should be aware that all legal claims are governed by statutes of limitation, and you should immediately seek counsel to represent you or pursue the claim yourself. I wish you the best of luck.

Sincerely,

O'Connell, Tivin, Griffin & Burns, L.L.C. by:



Joseph P. Whyte

GOLDBERG KOHN LTD.

Exhibit
3.

October 26, 2018

roger.lewis@goldbergkohn.com
direct phone: 312.201.3981
direct fax: 312.863.7481

VIA U.S. MAIL

Mr. David H. Gharrett, M38621
Pontiac Correctional Center
P.O. Box 99
Pontiac, IL 61764

Dear Mr. Gharrett:

I have received your second letter regarding your request for pro bono legal assistance. I am sorry, but I am unable to assist. Best of luck.

Sincerely,



Roger A. Lewis

RAL/cxv



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
prisoner.esl@ilsd.uscourts.gov

ELECTRONIC FILING COVER SHEET

Please complete this form and include it when submitting any type of document, letter, pleading, etc. to the U.S. District Court for the Southern District of Illinois for review and filing.

David H. Garret

Name

M-38621

ID Number

Please answer questions as thoroughly as possible and circle yes or no where indicated.

1. Is this a new civil rights complaint or habeas corpus petition? Yes or No

If this is a habeas case, please circle the related statute: 28 U.S.C. 2241 or 28 U.S.C. 2254

2. Is this an Amended Complaint or an Amended Habeas Petition? Yes or No

If yes, please list case number: _____

If yes, but you do not know the case number mark here: _____

3. Should this document be filed in a pending case? Yes or No

If yes, please list case number: 3:18-cv-00958-AJR-Daw

If yes, but you do not know the case number mark here: _____

4. Please list the total number of pages being transmitted: 6

5. If multiple documents, please identify each document and the number of pages for each document. For example: Motion to Proceed In Forma Pauperis, 6 pages; Complaint, 28 pages.

Name of Document

Motion Requesting Partial Discovery

Number of Pages

2

Motion For Appointment of Counsel

4

Please note that discovery requests and responses are NOT to be filed, and should be forwarded to the attorney(s) of record. Discovery materials sent to the Court will be returned unfiled.